

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

THOMAS CARTER, Individually and on)	
Behalf of The Estate of Margaret Carter,)	
)	
Plaintiffs,)	
)	Case No. 4:20-cv-00670-AGF
vs.)	
)	JURY TRIAL DEMANDED
ZUKHRIDDIN KHAYRULLAEV,)	
MGI EXPRESS, LLC,)	
AMERICAN POWER TRANSPORTATION))	
And LANDSTAR RANGER, INC.,)	
)	
Defendants.)	

**DEFENDANT LANDSTAR RANGER, INC.'s MOTION TO EXCLUDE TESTIMONY
OF THOMAS CORSI**

Comes now Defendant Landstar Ranger, Inc., by and through its attorneys, and for its motion states as follows:

1. This motion is brought pursuant to FRE 702, Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 589, 113 S. Ct. 2786, 2795, 125 L. Ed. 2d 469 (1993), and Kumho Tire Co., Ltd. v. Carmichael, 526 U.S. 137, 147, 119 S. Ct. 1167, 1174, 143 L. Ed. 2d 238 (1999) to exclude one of Plaintiff's two experts, Thomas Corsi.

2. Thomas Corsi is a Professor of Logistics, Business and Public Policy at the University of Maryland. Dr. Corsi has been endorsed by Plaintiff to testify to the opinions contained in Dr. Corsi's report, attached to this Motion as Ex. Q. Dr. Corsi has also given a deposition, which is attached to this Motion as Exhibit C.

3. Thomas Corsi's report contains four main opinions:

Opinion 1 – *"Landstar Transportation Logistics, Inc. is the Designated and Legally Bound Motor Carrier"*

Opinion 2 – “*2013 Subcontract with American Power Transportation, LLC Violated Master Service Contract Provisions and Landstar Transportation Logistics, Inc. ’s Carrier Qualification Policy*”

Opinion 3 – “*American Power Transportation, LLC served as an Agent of Landstar Transportation Logistics, Inc as Opposed to it Independent Contractor*”

Opinion 4 – “*Landstar Transportation Logistics, Inc. ’s Retention of American Power Transportation, LLC Directly in Conflict with its Own Policies and Procedures for Retention of Safe Carriers*”

4. Defendant Landstar Ranger, Inc. asks this Court to exclude Dr. Corsi from testifying for the following reasons:

Opinion 1 – This opinion is to Dr. Corsi’s legal interpretation of a contract with between GE and Landstar Transportation Logistics, and would further tend to confuse or mislead the jury.

Opinion 2 – The only opinions contained in Dr. Corsi’s report are Dr. Corsi’s legal interpretation of a contract with between GE and Landstar Transportation Logistics, Inc. The remainder of Opinion 2 are simply recitations of certain facts he has pulled from various records, but do not contain any opinions requiring specialized knowledge or training.

Opinion 3 – Dr. Corsi’s opinion is not based upon his technical or other specialized knowledge or other industry standards, and is instead Dr. Corsi drawing legal conclusions based upon his reading of certain documents. Furthermore, his opinion is not based upon sufficient facts or data, nor are they the product of reliable principles or methods.

Opinion 4 - Dr. Corsi’s opinion is not based upon his technical or other specialized knowledge or other industry standards. Opinion 4 is simply a recitation of certain facts Dr. Corsi apparently misunderstands from the depositions he has reviewed.

5. Defendant has filed a Memorandum of Law contemporaneously with this Motion.

WHEREFORE, Defendant Landstar asks this Court to exclude Thomas Corsi as an expert at trial.

/s/ James A. Wilke
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I hereby certify that on June 15, 2022 the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

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